

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Akoi Samolu,

Case No. 18-cv-3021 (WMW/HB)

Petitioner,

DISMISSAL ORDER

v.

DHS/ICE,

Respondent.

This matter is before the Court on remand from the United States Court of Appeals for the Eighth Circuit, (Dkt. 26), to address Petitioner Samolu Akoi's petition for a writ of habeas corpus under 28 U.S.C. § 2241, in which he challenges his continued detention pending removal from the United States. *See Bah v. Cangemi*, 548 F.3d 680, 683 n.3 (8th Cir. 2008) ("The REAL ID Act of 2005, [8 U.S.C. § 1252(a)(5)], requires that habeas petitions seeking relief from a final order of removal be filed in the court of appeals. The Act does not affect a district court's jurisdiction over habeas petitions challenging the detention associated with a removal order, however."). Before the Eighth Circuit issued the mandate remanding this case, Akoi was removed from the United States. As Akoi is no longer detained, his petition for habeas relief is moot. *See Ali v. Cangemi*, 419 F.3d 722, 724 (8th Cir. 2005).

ORDER

Based on the foregoing analysis and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. Petitioner Akoi Samolu's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, (Dkt. 1), is **DENIED AS MOOT**; and

2. The action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 17, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge